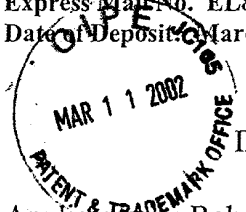


Express Mail No. EL862123580US

Date of Deposit: March 11, 2002

#3

Attorney Docket No. 24359-014



IN THE UNITED STATES PATENT AND TRADEMARK

Applicants: Robert F. Cruickshank III, et al.
Serial No.: 09/995,056
Filed: November 26, 2001
For: NETWORK PERFORMANCE MONITORING
Examiner: Not yet assigned
Art Unit: 2183

BOX MISSING PARTS

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir: TRANSMITTAL LETTER

Enclosed herewith for filing in the above-identified patent application please find the following listed items:

1. Response to Notice to File Missing Parts;
2. Part 2 of Notice to File Missing Parts of Non-provisional Application;
3. Missing parts surcharge fee in the amount of \$65.00 (#12022);
4. Substitute drawings consisting of 8 sheets of Figures 1-8 in compliance with 37 CFR 1.84;
5. Return Postcard.

In connection with the foregoing matter, please charge any additional fees which may be due, or credit any overpayment, to Deposit Account Number 50-0311, Reference 24359-014. A duplicate copy of this letter is provided for this purpose.

Respectfully submitted,

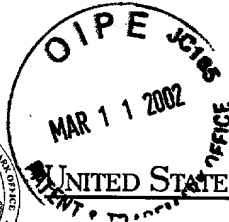
Shane H. Hunter
Registration No. 41,858
Attorneys for Applicants
Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C.
One Financial Center,
Boston, Massachusetts 02111
Telephone 617/348-1765

Date: March 11, 2002

COPY

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#3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/995,056	11/26/2001	Daniel J. Rice	24359-014

CONFIRMATION NO. 9528

FORMALITIES LETTER



OC00000007299262

MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.
One Financial Center
Boston, MA 02111

Date Mailed: 01/11/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

03/15/2002 NROCHA1 00000007 09995056

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A copy of this notice MUST be returned with the reply.

Chenb

NOTED 9505660

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

20170720 095650

Express Mail No. EL86212358005
Date of Deposit: March 11, 2002

#3

Attorney Docket No. 24359-014

IN THE UNITED STATES PATENT AND TRADEMARK

Applicants: Robert F. Cruickshank III, et al.
Serial No.: 09/995,056
Filed: November 26, 2001
For: NETWORK PERFORMANCE MONITORING
Examiner: Not yet assigned
Art Unit: 2183

BOX MISSING PARTS
Commissioner of Patents and Trademarks
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

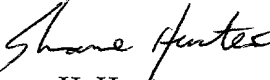
Sir:

Responsive to the Notice To File Missing Parts dated January 11, 2002 in the above-referenced patent application, Applicants submit herein payment of a late filing fee or oath or declaration surcharge of \$65.00 (check # 12022) along with the Combined Declaration and Power of Attorney executed by the inventor.

Also, enclosed are substitute drawings consisting of 8 sheets of Figures 1-8 in compliance with 37 CFR 1.84.

Also enclosed is Part 2 of the Notice to File Missing Parts of Non-Provisional Application and return postcard.

Respectfully submitted,


Shane H. Hunter
Registration No. 41,858
Attorneys for Applicants
Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C.
One Financial Center,
Boston, Massachusetts 02111
Telephone 617/348-1765

Date: March 11, 2002

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